

BEFORE  
THE PUBLIC SERVICE COMMISSION OF  
SOUTH CAROLINA  
DOCKET NO. 2011-\_\_\_\_-C

In the Matter of the Application of  
Common Point, LLC for a Certificate of  
Public Convenience and Necessity to  
Provide Local Exchange and  
Interexchange Services, for flexible  
regulation first established by Order No.  
98-165 in Docket No. 97-467-C; and for  
alternative regulation first established by  
Order Nos. 95-1734 and 96-55 in Docket  
No. 95-661-C.

**APPLICATION FOR AUTHORITY TO  
PROVIDE LOCAL EXCHANGE AND  
INTEREXCHANGE SERVICES**

Common Point, LLC, (“Common Point” or “Applicant”), by its attorneys and pursuant to S.C. Code Ann. §58-9-280(B), as amended, and Section 253 of the Federal Communications Act of 1934, respectfully submits this Application for Authority to Provide facilities-based and resold competitive local exchange (including exchange access) services and non-dominant interexchange telecommunications within the State of South Carolina. In addition, Applicant requests that the Commission regulate its Local Exchange Service offerings in accordance with procedures first authorized for NewSouth Communications in Order No. 98-165 in Docket No. 97-467-C; and for its Interexchange service offerings to be regulated in accordance with procedures established for alternative regulation in Order Nos. 95-1734 and 96-55 in Docket No. 95-661-C as modified by Order No. 2001-997 in Docket No. 2000-407-C. In support thereof, Applicant provides the following information:

**I. Introduction.**

**1. Applicant's Name and Address.**

Applicant's legal name is Common Point, LLC. Applicant is a limited liability company, organized under the laws of the State of Illinois. A copy of Applicant's articles of organization and Applicant's certificate of authority from the South Carolina Secretary of State are attached as **Exhibit 1**. The address for Applicant's address of its principal office is 3130 Pleasant Run, Springfield, Illinois 62711.

**2. Applicant's Contact Persons:**

**a. General Business and Regulatory Matters**

Joseph O'Hara  
c/o ANPI, LLC  
3130 Pleasant Run  
Springfield, IL 62711  
**Phone Number: 877.366.2674**  
**Fax Number: 217.698.0100**  
**Email: [regulatoryaffairs@anpisolutions.com](mailto:regulatoryaffairs@anpisolutions.com)**

**b. Inquiries and Customer Complaints**

Joseph O'Hara  
c/o ANPI, LLC  
3130 Pleasant Run  
Springfield, IL 62711  
**Phone Number: 877.366.2674**  
**Fax Number: 217.698.0100**  
**Email: [regulatoryaffairs@anpisolutions.com](mailto:regulatoryaffairs@anpisolutions.com)**

**c. Operating (network and service) Issues**

Joseph O'Hara  
c/o Associated Network Partners, Inc.  
3130 Pleasant Run  
Springfield, IL 62711  
**Phone Number: 877.366.2674**  
**Fax Number: 217.698.0100**  
**Email: [regulatoryaffairs@anpisolutions.com](mailto:regulatoryaffairs@anpisolutions.com)**

## **II. Description of Authority Sought and Services to Be Provided**

Applicant will initially provide switched tandem access services to other carriers delivering call traffic into and out of local exchanges through neutral, common or tandem switches. A copy of Common Point's proposed access tariff is attached hereto as **Exhibit 4**.

Applicant requests statewide authority, and requests full authority to provide resold and facilities-based services on a switched and dedicated basis. Customer service is available twenty-four (24) hours per day through the toll-free telephone number **877-366-2674** and via email at [regulatoryaffairs@anpisolutions.com](mailto:regulatoryaffairs@anpisolutions.com).

Applicant may subsequently offer a wide variety of wholesale telecommunications services, including local and long distance origination and termination, switched and special access, 8YY origination, managed modem, and collocation services.

Applicant is well-qualified to provide telecommunications services in South Carolina. Applicant currently offers its telecommunications services, in the following states: California, Illinois, Missouri, Washington and Wisconsin.

Additionally, Applicant is also currently seeking certification in Alaska, Alabama, Louisiana, Maryland, Montana, Nebraska, Oregon, Pennsylvania and West Virginia. Applicant has not been denied authority for any of the services for which it seeks authority in this Application.

## **III. Common Point Possesses the Technical, Financial and Managerial Resources Sufficient to Provide the Proposed Local Exchange and Interexchange Services.**

### **1. Technical.**

Applicant is technically qualified to operate and manage its proposed telecommunications operations in South Carolina. The senior management of Applicant has extensive experience in the provision of telecommunications service. Biographies outlining the technical experience of

Applicant's key personnel are provided in **Exhibit 2**. These biographies reflect that Common Point possesses significant expertise for operating a telecommunications company. In addition to the senior management, Common Point has highly qualified technical personnel to ensure that Common Point's operations will meet demanding standards for service quality and reliability.

2. Financial Ability.

Applicant is a privately-held entity; and therefore, no annual report is prepared, nor is a 10-K report filed with the Securities and Exchange Commission. A copy of Applicant's most recent Financial Statements are being filed *under seal* as **Exhibit 3**.

3. Managerial Capabilities.

As stated above, attached hereto is **Exhibit 2** which includes a description of the professional qualifications of Applicant's senior employees and officers who will be directly involved in Applicant's South Carolina operations.

**IV. Waivers, Regulatory Compliance, and Regulatory Treatment.**

1. Common Point respectfully requests that it be exempt from any record-keeping rules or regulations that might require a carrier to maintain its financial records in conformance with the Uniform System of Accounts ("USOA"). The USOA was developed by the FCC as a means of regulating telecommunications companies subject to rate base regulation. As a competitive carrier, Common Point maintains its accounts in accordance with Generally Accepted Accounting Principals ("GAAP").

Neither the FCC, nor any state public service commission has required Common Point to maintain its records under the USOA for purpose of Interexchange operations. Consequently, Common Point does not possess the detailed cost data required by USOA. In addition, since Common Point utilizes GAAP, the Commission and the South Carolina Office of Regulatory Staff ("ORS") will have a reliable means of evaluating Common Point's South Carolina activity.

Therefore, Common Point hereby respectfully requests to be exempt from any USOA requirements of the Commission.

2. Common Point hereby also respectfully requests waiver of S.C. Ann. Regs. 103-610, which requires books and records to be kept in the State of South Carolina. Common Point requests that it be permitted to keep its books and records at its principal place of business in Illinois. In the event that the Commission Staff or the ORS seek to review these books and records, Common Point will afford access to same at its expense.

3. Common Point respectfully requests that its local exchange service offerings be regulated in accordance with procedures authorized for NewSouth Communications in Order No. 98-165 in Docket No. 97-467-C. Additionally, Common Point respectfully requests that its Interexchange service offerings be regulated in accordance with procedures established for alternative regulation in Order Nos. 95-1734 and 96-55 in Docket No. 96-661-C, as modified by Order No. 2001-997 in Docket No. 2000-407-C.

## **V. Conclusion.**

Common Point possesses the technical and managerial ability and the necessary financial resources to provide competitive telecommunications services that will serve the public interest, convenience and necessity. Granting this Application will promote the public interest by increasing competition in the provision of telecommunications services in the State of South Carolina. Applicant will provide customers high quality, cost effective telecommunications services, with an emphasis on customer service. Applicant's entry into the state will promote competition, with its attendant benefits of lower prices, innovative new services, and improved customer responsiveness. In general, competition drives prices closer to costs, thereby ensuring just and reasonable rates. Competition also promotes efficiency in the delivery of services and in the development of new services. These benefits work to maximize the public interest by

providing continuing incentives for carriers to reduce costs while, simultaneously, promoting the availability of potentially desirable services.

WHEREFORE, Common Point, LLC requests that the South Carolina Public Service Commission enter an order granting a certificate authorizing Common Point, LLC to operate as a telecommunications company offering and providing local exchange (including exchange access) and interexchange services in the State of South Carolina, authorizing its local exchange service offerings to be regulated in accordance with procedures authorized for NewSouth Communications in Order No. 98-165 in Docket No. 97-467-C and its interexchange service offerings to be regulated in accordance with procedures established for alternative regulation in Order Nos. 95-1734 and 96-55 in Docket No. 95-661-C, and grant such other relief as it deems necessary and appropriate.

Respectfully submitted this 17<sup>th</sup> day of August, 2011.

Common Point, LLC

s/ John J. Pringle, Jr

John J. Pringle, Jr.

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***Counsel for Common Point, LLC***